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REMARKS

Claims 1-14, 17, 19-23, and 26 are pending in this application.

Applicants have amended claim 26 and have canceled claims 12-13 and 22-23.

THE OFFICE ACTION

Double Patenting

Claims 1-14, 17, and 19-21 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of U.S. Patent No. 7,008,948. Applicants traverse. However, solely to advance prosecution, applicants have submitted herewith a terminal disclaimer. Accordingly, applicants request that the Examiner allow claims 1-14, 17, and 19-21.

35 U.S.C. § 112, First Paragraph


Claims 12-13 and 22-23 stand rejected under 35 U.S.C. § 112, first paragraph for lack of enablement. Applicants traverse. Nevertheless, to expedite prosecution, applicants have canceled claims 12-13 and 22-23.

Claim 26 stand rejected under 35 U.S.C. § 112, first paragraph, for lack of enablement. The Examiner contends that the specification, "while being enabling for the treatment of colon, lung, stomach or breast cancer, does not reasonably provide enablement for the treatment of melanoma." Applicants traverse. Nevertheless, to expedite prosecution, applicants have amended claim 26 to delete melanoma.

CONCLUSION

Applicants respectfully request that the Examiner enter the above amendments, consider the foregoing remarks, and allow the pending claims to issue.

Respectfully submitted,


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